

to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 744. LIMITATION ON MEDICAL RESEARCH TO ADDRESS CONDITIONS RELATED TO SERVICE IN THE ARMED FORCES.

Section 2358(c) of title 10, United States Code, is amended—

(1) by striking the period at the end and inserting “; or”;

(2) by striking “to finance any research” and inserting “to finance—

“(1) any research”; and

(3) by adding at the end the following new paragraph:

“(2) any medical research project unless the project directly addresses treatment of diseases, injuries, or illnesses related to service in the Armed Forces.”.

SA 4108. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SECTION _____. EXPEDITED HIRING AUTHORITY.

(a) **EXPEDITED HIRING AUTHORITY FOR COLLEGE GRADUATES.**—Section 3115(e)(1) of title 5, United States Code, is amended by striking “15 percent” and inserting “25 percent”.

(b) **EXPEDITED HIRING AUTHORITY FOR POST-SECONDARY STUDENTS.**—Section 3116(d)(1) of title 5, United States Code, is amended by striking “15 percent” and inserting “25 percent”.

SA 4109. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CRITERIA FOR GRANTING DIRECT-HIRE AUTHORITY TO AGENCIES.

Section 3304(a)(3)(B) of title 5, United States Code, is amended by striking “shortage of candidates” and all that follows through “highly qualified candidates)” and inserting “shortage of highly qualified candidates”.

SA 4110. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed

to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. NONCOMPETITIVE ELIGIBILITY FOR HIGH-PERFORMING CIVILIAN EMPLOYEES.

(a) **DEFINITIONS.**—In this section—

(1) the term “competitive service” has the meaning given the term in section 2102 of title 5, United States Code; and

(2) the term “Executive agency” has the meaning given the term in section 105 of title 5, United States Code.

(b) **REGULATIONS.**—Under such regulations as the Director of the Office of Personnel Management shall issue, an Executive agency may noncompetitively appoint, for other than temporary employment, to a position in the competitive service any individual who—

(1) is certified by the Director as having been a high-performing employee in a former position in the competitive service;

(2) has been separated from the former position described in paragraph (1) for less than 6 years; and

(3) is qualified for the new position in the competitive service, as determined by the head of the Executive agency making the noncompetitive appointment.

(c) **LIMITATION ON AUTHORITY.**—An individual may not be appointed to a position under subsection (b) more than once.

(d) **DESIGNATION OF HIGH-PERFORMING EMPLOYEES.**—The Director of the Office of Personnel Management shall, in the regulations issued under subsection (b), set forth the criteria for certifying an individual as a “high-performing employee” in a former position, which shall be based on—

(1) the final performance appraisal of the individual in that former position; and

(2) a recommendation by the immediate or other supervisor of the individual in that former position.

SA 4111. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1036. REVIEW AND APPROVAL BY SECRETARY OF DEFENSE OF TRANSFER OF DETAINEES FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) **REVIEW AND APPROVAL.**—The Secretary of Defense shall review and approve any transfer of an individual detained at Guantanamo from United States Naval Station, Guantanamo Bay, Cuba.

(b) **TRANSFER AGREEMENTS.**—The Secretary shall sign any agreement relating to the transfer of an individual detained at Guantanamo from United States Naval Station, Guantanamo Bay.

(c) **NONDELEGATION.**—The Secretary may not delegate any responsibility under subsection (a) or (b).

(d) **REPORT REQUIRED.**—

(1) **IN GENERAL.**—During the five-year period beginning on the date on which an individual detained at Guantanamo is transferred from United States Naval Station, Guantanamo Bay, the Secretary shall annually submit to Congress a report on the whereabouts and activities of the individual.

(2) **FORM.**—Each report required by paragraph (1) shall be submitted in classified form.

(e) **INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.**—In this section, the term “individual detained at Guantanamo” means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay.

SA 4112. Mr. KING (for himself, Mr. ROUNDS, Mr. SASSE, Ms. ROSEN, and Ms. HASSAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—DEFENSE OF UNITED STATES INFRASTRUCTURE

SEC. 5001. SHORT TITLE.

This division may be cited as the “Defense of United States Infrastructure Act of 2021”.

SEC. 5002. DEFINITIONS.

In this division:

(1) **CRITICAL INFRASTRUCTURE.**—The term “critical infrastructure” has the meaning given such term in section 1016(e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e)).

(2) **CYBERSECURITY RISK.**—The term “cybersecurity risk” has the meaning given such term in section 2209 of the Homeland Security Act of 2002 (6 U.S.C. 659).

(3) **DEPARTMENT.**—The term “Department” means the Department of Homeland Security.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of Homeland Security.

TITLE LI—INVESTING IN CYBER RESILIENCY IN CRITICAL INFRASTRUCTURE

SEC. 5101. NATIONAL RISK MANAGEMENT CYCLE.

(a) **AMENDMENTS.**—Subtitle A of title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended—

(1) in section 2202(c) (6 U.S.C. 652(c))—

(A) in paragraph (1), by striking “and” at the end;

(B) in the first paragraph designated as paragraph (12), relating to the Cybersecurity State Coordinator—

(i) by striking “section 2215” and inserting “section 2217”; and

(ii) by striking “and” at the end; and

(C) by redesignating the second and third paragraphs designated as paragraph (12) as paragraphs (13) and (14), respectively;

(2) by redesignating section 2217 (6 U.S.C. 665f) as section 2220;

(3) by redesignating section 2216 (6 U.S.C. 665e) as section 2219;